

AMENDATORY SECTION (Amending WSR 09-08-065, filed 3/27/09, effective 4/27/09)

**WAC 308-63-010 Definitions--General.** (1) Department - means the department of licensing of the state of Washington.

(2) Director - means the director of the department of licensing.

(3) Destroy - means the dismantling, disassembling or wrecking of a vehicle with the intent of never again operating such as a vehicle, or the sustaining of damage to a vehicle either (a) to the extent that the cost of repairing it exceeds its fair market value immediately prior to the accident or occurrence, or (b) to the extent that the cost of repairing it plus its salvage value in its damaged condition exceeds or approximately equals the market value of the vehicle in its repaired or restored condition.

(4) Market value threshold amount is the amount assigned to vehicles which includes a motor vehicle having a designation that is at least six years before the calendar year in which the vehicle was wrecked, destroyed, or damaged. For vehicles six through twenty years old a statement whether or not the vehicle meets the market value threshold amount as defined in RCW 46.12.005 and WAC 308-56A-500 is also required.

(5) Acquire - means the physical custody together with proof of ownership as provided under WAC 308-63-080.

~~((+5+))~~ (6) Custody - means the possession of a vehicle that the wrecker owns but for which ownership documents required in WAC 308-63-080 have not been received, or a vehicle placed for safekeeping by a law enforcement officer or others.

~~((+6+))~~ (7) Obscure - means to screen the wrecker activity from public view.

~~((+7+))~~ (8) Segregated area - means an area within the wrecking yard, which must be designated by a physical barrier. The physical barrier may be portable, made of substantial posts and connected by rope, chain, cable, or of other equally strong construction.

AMENDATORY SECTION (Amending WSR 09-08-065, filed 3/27/09, effective 4/27/09)

**WAC 308-63-090 Vehicle wrecker--Records and procedures for monthly reports. What records must I keep and how do I handle the monthly report?** (1) **Wrecker books and files.** The wrecker must maintain books and files that contain the following:

- (a) A record of each vehicle or part acquired giving:
- (i) A description of the vehicle or part by make, model, year, and for major component parts, except core parts, the vehicle identification number and "yard number" assigned at the time the vehicle or major component part was placed in the wrecking yard;
  - (ii) The date purchased or acquired by the vehicle wrecker, and the name of the person, firm or corporation from which the vehicle or part was obtained;
  - (iii) The certificate of ownership number if registered in a title state, or registration number if a nontitling state; or description of the document used in lieu of title, such as an affidavit of sale, a bill of sale for a vehicle or vehicle part;
  - (iv) The name of the state and license number in the state that a vehicle was last registered; and
  - (v) A statement indicating whether any used car or truck at least six years but not more than twenty years old met the market value threshold amount prior to the vehicle being wrecked, destroyed or damaged, as required by RCW 46.12.070 and WAC 308-56A-460((+3)). If this statement is not provided, when required, the department will treat the vehicle as if the wrecker indicated that the market value threshold was met prior to the vehicle being wrecked.

**What is "market value threshold amount?"** The current market value threshold amount is six thousand seven hundred ninety dollars. For vehicles six through twenty years old a statement whether or not the vehicle meets the market value threshold amount as defined in RCW 46.12.005 and WAC 308-56A-500 is also required.

**How is the market value threshold amount determined?** Using the current market value threshold amount described in RCW 46.12.005 each year the department will add the increased value if the increase is equal to or greater than fifty dollars.

**If the value is less than fifty dollars the department will track the increased value amount each year until the amount is equal to or greater than fifty dollars.**

(b) A record of the disposition of the motor, body, and major component parts giving the name of the person purchasing the part(s), if any. Sales to scrap processors must be accompanied by an invoice or bill of sale, listing each vehicle by its yard number. The wrecker must retain a copy of the invoice or bill of sale for purposes of inspection for three years.

These records will be subject to inspection by authorized representatives of the department and law enforcement officials during regular business hours. The information must be entered in the wrecker's records within two business days of the event requiring the entry, such as receipt of a vehicle.

(2) **The vehicle wrecker must furnish written reports.** By the tenth of the month following the month of acquisition of vehicles entered into the wrecking yard inventory, each wrecker must submit a report on the form prescribed by the department documenting that the vehicles were acquired and entered into the wrecking yard inventory during the previous month. Vehicles being held in the segregated storage area awaiting ownership documents, under WAC

308-63-070(8), will not be reported. The report must be made in duplicate. The original must be sent to the department and the duplicate retained for the wrecker's files. If no vehicles were acquired during that month, the monthly report must be sent in stating "none." The report must contain information for vehicles only as the wrecker is required to keep by subsection (1)(a)(i), (ii), (iii), (iv), and (v) of this section. The report must be accompanied by properly endorsed certificates of ownership or other adequate evidence of ownership and registration certificates. Records on acquisitions and sales of vehicle parts need not be included in reports submitted to the department but records must be kept for three years from the date of purchase and made available for inspection.

(3) **Identity of vehicles in yard.** A yard number must identify all vehicles placed in the wrecking yard. The number must be assigned in the wrecker's records with numerals marked so as to be clearly visible and legible. If a part of a vehicle is sold which has the number on it, the yard number of the vehicle must be remarked in another location on the vehicle.